

97-80

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Jul 9, 2007

JUL 25 2007

Federal Communications Commission
Office of the Secretary

FCC Public Comments
445 12th Street SW
Washington, DC 20554

As a consumer interested in protecting competition, innovation, and legitimate use of cable TV content, I urge you to refuse requests for waivers of 47 CFR 76.1204(a)(1) by NCTA, Charter, Verizon, and all other cable providers. The FCC's integration ban, which in effect requires cable companies to integrate CableCARDs into their own set-top boxes, remains good policy today.

Now ten years after the Telecommunications Act of 1996, cable companies have dragged their feet long enough on competitive alternatives to proprietary set-top boxes, thus hampering innovation and harming consumers. The integration ban will also help market competition prevent further restrictions on cable subscribers' ability to make legitimate use of recorded content.

By adopting content protection limits (encoding rules) in docket no. 97-80, the Commission recognized the importance of allowing consumers to make certain uses of TV content, regardless of a particular cable provider's or copyright holder's wishes. With competition spurred on by the integration ban, consumers would have the freedom to choose the least restrictive cable-compatible device available. The CableCARD standard already prescribes restrictions that harm consumers by limiting non-infringing uses, and such restrictions will get even worse if cable providers' set-top boxes are unchecked by competition.

Please refuse requests for waivers of 47 CFR 76.1204(a)(1).

Sincerely,

Mr. Gregg Schoen
800 W Cornelia Ave Apt 201
Chicago, IL 60657-1946

INQUIRY FOR GREGG SCHOEN

Complaint Type: Cable

Account Type: Residential

☐ Congressional Complaint ☐

| | | | |
|----------------------|---|--------------------------|---------------------|
| IC Number: | 07-F0279743 | Case Type: | Inquiry |
| Date Received: | 07/10/2007 | Complainant: | Gregg Schoen |
| Date Entered: | 07/12/2007 | Date Assigned: | 07/12/2007 |
| Entered By: | PORTALSV1 | Date Reassigned: | 07/13/2007 |
| Assigned To: | Judy Camel/FCCIN | Service Date: | |
| Date Closed: | 07/16/2007 | Response Date: | |
| Closed By: | Judy Camel | Original Analyst: | Minnie Caskey/FCCIN |
| Close Letter Needed? | <input type="radio"/> Yes <input checked="" type="radio"/> No | Purged By: | Purged Date: |
| | | Removed By: | Removed Date: |
| Supervisor Check: | <input type="radio"/> Yes <input checked="" type="radio"/> No | Indecency Referral Code: | |

Current Status: Closed

[View Complaint](#)

Associated Case:

Complaint Summary:

| | |
|---|----------------------------|
| Apparent Carrier(s): | |
| <input type="checkbox"/> Yes<<< Check here if you wish to serve both a Wireline and Wireless carrier. | |
| Problem Number: | |
| Title: None | First Name: Gregg |
| Contact Name: | Gregg Schoen |
| Contact Number: | Ext. |
| Fax Number: | |
| Email Address: | |
| PO Box: | |
| City: | Chicago |
| Middle Initial: | Last Name: Schoen |
| Best Time to Call: | |
| Consumer's Telephone Number: | Ext. |
| TTY Number: | |
| Internet Address: | |
| Address: | 600 W Cornelia Ave Apt 201 |
| State: IL | Zip: 60657-1946 |

| | |
|--|---|
| On Behalf Of: | |
| Company Name: | |
| Party's Name: | Relationship with the Party: |
| Party's Contact Number: Ext. | PO Box: |
| | Address: |
| | City: State: Zip: |
| Other Party that can be contacted? | |
| Name: | Relationship: |
| Contact Number: Ext. | Address: |
| | City: State: Zip: |
| **Amount of credit FCC effort generated: | Duplicate Credit Checked: <input type="radio"/> Yes <input checked="" type="radio"/> No |

Have you paid any of the disputed charges?

Did the company billing for these charges adjust or refund some or all of the disputed charges?

If yes, what was the amount of the adjustment or refund?

b. Telephone number for the carrier(s) or company(ies) involved

with your complaint, including area code:

Phone: Ext:

c. Which type of service is involved with your complaint:

Docket #97-80

information@eff.org wrote on 7/1/2007 5:36:56 PM :

Jul 1, 2007

Chairman Kevin Martin

Dear Chairman Martin,

As a consumer interested in protecting competition, innovation, and legitimate use of cable TV content, I urge you to refuse requests for waivers of 47 CFR 76.1204(a)(1) by NCTA, Charter, Verizon, and all other cable providers. The FCC's integration ban, which in effect requires cable companies to integrate CableCARDs into their own set-top boxes, remains good policy today.

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Please refuse requests for waivers of 47 CFR 76.1204(a)(1).

Sincerely,

Mr. Eitan Adler
306 (hidden) St.
(hidden), NY (hidden)

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JUL 25 2007

Federal Communications Commission
Office of the Secretary

Docket #97-80

7/10/2007 11:06:14 AM - Email Acknowledgement sent to information@eff.org.

information@eff.org wrote on 7/9/2007 4:26:49 PM :

Jul 9, 2007

Commissioner Deborah Taylor Tate

Dear Commissioner Taylor Tate,

As a consumer interested in protecting competition, innovation, and legitimate use of cable TV content, I urge you to refuse requests for waivers of 47 CFR 76.1204(a)(1) by NCTA, Charter, Verizon, and all other cable providers. The FCC's integration ban, which in effect requires cable companies to integrate CableCARDs into their own set-top boxes, remains good policy today.

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Please refuse requests for waivers of 47 CFR 76.1204(a)(1).

Sincerely,

Mr. Gregg Schoen
800 W Cornelia Ave Apt 201
Chicago, IL 60657-1946

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Federal Communications Commission
Office of the Secretary

Docket #97-80

7/8/2007 7:07:05 PM - Email Acknowledgement sent to kwiniiec@ieee.org.

kwiniiec@ieee.org wrote on 7/8/2007 7:06:39 PM :

Dear FCC,

I am a U.S. citizen, cable television consumer, and electrical engineer in the aerospace industry with no affiliation to the cable TV or consumer electronics industries, and I wish to submit a comment on the issue of cable TV software (DCAS) vs. hardware (CableCARD) security. If there is a different address to which I should send this, please let me know.

I recently read about the FCC forcing cable companies to recall, destroy, and replace cable television terminal equipment not containing CableCARDS with equipment containing CableCARDS:

<http://www.cedmagazine.com/article.aspx?id=147007&terms=dcas>

From my consumer perspective, this action appears to have no consumer benefit and considerable consumer detriment. By making the equipment required to retain existing consumer capability more expensive, it appears to redistribute wealth from consumers to the consumer electronics industry without providing any offsetting benefit to the consumer. By adding considerable hardware which was previously unnecessary and which would still be unnecessary for DCAS, it also appears to make consumer electronics more complex and unreliable without providing any offsetting benefit to the consumer. Finally, from an engineering standpoint, software (DCAS) is a modern current-generation technology solution while hardware (CableCARD) is an obsolete last-generation technology solution. So the CableCARD mandate appears to be anti-consumer and pro-special-interest, and so I do not understand why my government is supporting it.

I currently subscribe to analog cable and use multiple analog cable-ready VCRs because this is the lowest-cost system which can autonomously time-shift multiple simultaneous programs on different channels. The cost for this system is approximately \$75 one-time per tuner (VCR) and \$50 per month recurrent for content (analog cable TV service), and it has not required major equipment replacement in 14 years. I am aware of the congressionally-mandated February 2009 DTV deadline, and I had determined that the most cost-effective approach for me was to wait to switch until the last possible minute, when digital cable-ready consumer electronics became as plentiful and cheap as possible, and then replace my analog cable-ready VCRs with digital cable-ready DVRs. I logically assumed the DVRs would employ DCAS, keeping the costs for retaining my current capabilities in line with my current system, with only about a 1/3 increase for hardware and little or no increase for content.

However, by forcing cable companies to use CableCARD, the FCC makes my one-time costs considerably higher (CableCARD is expensive, raising the cost of all equipment that uses it, and possibly resulting in a second equipment obsolescence cycle after merely a few years) and my recurring costs considerably higher (consumers must subsidize both the added costs to the cable companies of switching to CableCARD and the increased maintenance costs of the considerably more complex and unreliable CableCARD hardware). What benefit do I the consumer get by incurring all these higher costs and headaches? I don't see one. From both my consumer and engineering perspectives, both the current analog system and the future DCAS digital system are vastly superior to any CableCARD system, and forcing any use of CableCARD is illogical. And judging by the currently low consumer adoption of CableCARD hardware (0.4% of cable customers in 3 years according to the article), the public would seem to agree. To me it appears as if the FCC is acting in the interest of the consumer electronics industry and against the interests of the consumer (as well as the cable industry), since the only party that could conceivably benefit from the shaving of a year or two off the adoption of a DCAS standard appears to be the consumer electronics industry. And I think my government should be supporting its citizens' interests over industry's. Industry is business -- it will take care of itself; Americans forced to blow their money on needless product replacement cycles instead of saving it for retirement or education can not.

With the information I currently have, I conclude that the FCC should focus only on DCAS, and grant all waivers submitted by cable companies to avoid CableCARD, whether pending, future, or retroactive. I also conclude that CableCARD is an enormous waste of consumer money lacking any consumer value, and plan to avoid spending any of my hard-earned money on CableCARD hardware or services, even if that means terminating cable TV service, as well as urge all my friends and family to do the same. There may be reasons to tolerate CableCARD's costs and headaches that I don't understand, and if so I would like to understand them, but I have not been able to find any on the Web. If you have or know where I can find information that might change my perception, I hope you will let me know, otherwise I hope the FCC will consider my comments and re-consider what is in the consumer interest.

Thank you for your time.

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JUL 25 2007
Federal Communications Commission
Office of the Secretary

Sincerely,

Kenneth B. Winiecki, Jr.
8314 Spadderdock Way
Laurel, MD 20724
301-776-2536
kwiniec@ieee.org

Docket #97-80

7/9/2007 10:52:21 AM - Email Acknowledgement sent to information@eff.org.

information@eff.org wrote on 7/7/2007 3:15:04 PM :

Jul 7, 2007

Commissioner Jonathan Adelstein

Dear Commissioner Adelstein,

As a consumer interested in protecting competition, innovation, and legitimate use of cable TV content, I urge you to refuse requests for waivers of 47 CFR 76.1204(a)(1) by NCTA, Charter, Verizon, and all other cable providers. The FCC's integration ban, which in effect requires cable companies to integrate CableCARDs into their own set-top boxes, remains good policy today.

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Please refuse requests for waivers of 47 CFR 76.1204(a)(1).

Sincerely,

Mr. Michael Wang
2350 Pez Vela Pl
Gold River, CA 95670-6218

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